**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY**

JUAN DUARTE, BETSY DUARTE and N.D.,)
Infant, by Parents and Natural Guardians JUAN)
DUARTE and BETSY DUARTE, LEROY)
NOBLES and BETTY NOBLES, on Behalf of) Civil Action No. 2:17-cv-01624-ES-
Themselves and all Others Similarly Situated,) SCM
)
      Plaintiffs,) Honorable Esther Salas
  vs.) Honorable Steven C. Mannion
)
UNITED STATES METALS REFINING) Hearing Date: Jan. 6, 2020
COMPANY; FREEPORT MINERALS)
CORPORATION; and AMAX REALTY)
DEVELOPMENT, INC.,)
)
    Defendants.)
)
)
)

**DEFENDANTS' NOTICE OF MOTION TO EXCLUDE THE OPINIONS OF
PLAINTIFFS' EXPERTS**

To: Steven German, Esq.
      German Rubenstein LLP
      19 West 44th Street, Suite 1500
      New York, NY 10036

Sir:

PLEASE TAKE NOTICE that on Monday, November 25, 2019 or as soon thereafter as counsel

may be heard, we shall apply to the United States District Court for the District of New Jersey

for an Order excluding the opinions George Flowers, Paul Rosenfeld, Joel Blum, Jeffery Zabel,

and Robert Harrison.

PLEASE TAKE FURTHER NOTICE that we shall rely on upon the Declaration of Theresa L.

Romanosky, Esq. in Support of the Motion to Exclude the Opinions of George Flowers, Paul

1

Rosenfeld, Joel Blum, Jeffery Zabel, and Robert Harrison and the Brief in Support of

Defendants' Motion submitted herewith; and

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted with this

motion.

Dated: November 25, 2019

<div align="right">

Respectfully submitted,

McCarter & English, LLP
Attorneys for Defendants
United States Metals Refining Company,
Freeport Minerals Corporation, and Amax
Realty Development, Inc.

By: */s/ David R. Kott*
David R. Kott
A Member of the Firm

</div>

Robert M. Schick
George O. Wilkinson
Lewis C. Sutherland
Vinson & Elkins LLP
1001 Fannin Street, Suite 2500
Houston, TX 77002

Kevin A. Gaynor
Benjamin S. Lippard
Vinson & Elkins LLP
2200 Pennsylvania Avenue NW, Suite 500 West
Washington, DC 20037-1701

Mortimer H. Hartwell
Vinson & Elkins LLP
555 Mission Street, Suite 2000
San Francisco, CA 94105